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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Note verbale dated 18 April 2002 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the secretariat of the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the secretariat of the first session of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and has the honour to request that the annex to document A/56/878-S/2002/289 be circulated as a document of the session (see annex).

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Annex to the note verbale dated 18 April 2002 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the secretariat of the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

On 10 March 2002, excerpts from a report entitled "Nuclear Posture Review", prepared by the United States Department of Defense, were published in the United States, which indicate the emergence of a new doctrine in the United States on the use of nuclear weapons.

While the document remains classified, statements on the record by various high-ranking officials of the United States Administration indicate that action plans are being devised to develop a new generation of nuclear weapons and improve the existing ones to be used against nuclear- as well as non-nuclear-weapon States.

This doctrine is a clear violation of the United States multilateral obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and contradicts previous assurances officially undertaken by the United States at the highest level. This constitutes an alarming development which threatens to undermine the global non-proliferation regime.

It is important to recall that, in the early 1980s, all five nuclear-weapon States, in response to the international demand for a treaty on negative security assurances against nuclear weapons, undertook not to use such weapons against States parties to the Nuclear Non-Proliferation Treaty and those which renounce the production and acquisition of such weapons.

On 9 February 1982, the United States representative to the Committee on Disarmament stated: "The United States will not use nuclear weapons against any non-nuclear-weapon State party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a State allied to or associated with a nuclear-weapon State in carrying out or sustaining the attack".

On 5 April 1995, days before the 1995 Nuclear Non-Proliferation Treaty Review and Extension Conference, this pledge was reaffirmed through a statement by the United States Secretary of State and circulated as document A/50/153-S/1995/263.

This pledge was taken at face value both in Security Council resolution 984 (1995) of 11 April 1995 and in Nuclear Non-Proliferation Treaty Review and Extension Conference decision 2 on principles and objectives for nuclear non-proliferation and disarmament.

In paragraphs 1 and 2 of its resolution 984 (1995), the Security Council took note of the statements by the nuclear-weapon States "in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons" and recognized "the legitimate interest of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to receive assurances that the Security Council, and above all its nuclear-weapon State permanent members, will act

immediately in accordance with the relevant provisions of the Charter of the United Nations, in the event that such States are the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used".

In the eighth principle and objective contained in decision 2 on principles and objectives for nuclear non-proliferation and disarmament, adopted on 11 May 1995 by the Review and Extension Conference of the Nuclear Non-Proliferation Treaty, which extended the Treaty indefinitely, the Conference took note of Security Council resolution 984 (1995) as well as "the declarations of the nuclear-weapon States concerning both negative and positive security assurances" and stipulated that "further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument".

The new United States doctrine on the use of nuclear weapons is in clear violation of the commitments which were made and reaffirmed to help the indefinite extension of the Nuclear Non-Proliferation Treaty. Furthermore, under article VI of the Treaty, the cessation of the nuclear arms race and nuclear disarmament constitute the undertaking of each of the Parties to the Treaty and it is self-evident that the nuclear-weapon States have a crucial role to play in this process.

The demand of the international community in its entirety for nuclear disarmament has been reflected in numerous documents adopted by the Nuclear Non-Proliferation Treaty Review Conferences, the General Assembly and other forums. The advisory opinion of the International Court of Justice has articulated the legal obligation to continue the endeavours for nuclear disarmament in good faith.

The 2000 Nuclear Non-Proliferation Treaty Review Conference called for "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI". It called upon them to consider "a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination".

The new United States doctrine on the use of nuclear weapons not only shifts back towards a new era of nuclear arms race, but also expands the role of nuclear weapons to conventional conflicts and even non-belligerent non-nuclear-weapon States.

There has been a growing trend within the current United States Administration to undermine multilateral efforts aimed at addressing global menaces ranging from terrorism and weapons of mass destruction to environmental degradation. This trend is a cause for grave concern which requires urgent and resolute universal attention and response.

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